

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Luke Petrinovic	Team: Squad #1	CCRB Case #: 201801085	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 02/08/2018 7:30 AM	Location of Incident: § 87(2)(b)	Precinct: 75	18 Mo. SOL 8/8/2019	EO SOL 8/8/2019	
Date/Time CV Reported Thu, 02/08/2018 12:51 PM	CV Reported At: Precinct	How CV Reported: In-person	Date/Time Received at CCRB Thu, 02/08/2018 1:56 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. DT3 Christophe Heredia	01339	938656	WARRSEC
2. DT3 Daniel Silverio	5916	943816	WARRSEC
3. DT3 Michael Fratangelo	1981	948210	WARRSEC
4. DT3 John Ambrosino	807	949998	WARRSEC

Officer(s)	Allegation	Investigator Recommendation
A.DT3 Daniel Silverio	Abuse: Det. Daniel Silverio entered § 87(2)(b) § 87(2)(b), in Brooklyn.	§ 87(2)(b)
B.DT3 Daniel Silverio	Discourtesy: Det. Daniel Silverio spoke discourteously to § 87(2)(b) § 87(2)(b)	§ 87(2)(b)
C.DT3 Daniel Silverio	Abuse: Det. Daniel Silverio threatened to arrest § 87(2)(b) § 87(2)(b)	§ 87(2)(b)
D.DT3 Daniel Silverio	Abuse: Det. Daniel Silverio refused to provide his name and shield number to § 87(2)(b) § 87(2)(b)	§ 87(2)(b)
E.DT3 Michael Fratangelo	Abuse: Det. Michael Fratangelo refused to provide his name and shield number to § 87(2)(b) § 87(2)(b)	§ 87(2)(b)
F.DT3 John Ambrosino	Abuse: Det. John Ambrosino refused to provide his name and shield number to § 87(2)(b) § 87(2)(b)	§ 87(2)(b)
G.DT3 Christophe Heredia	Abuse: Det. Christopher Heredia refused to provide his name and shield number to § 87(2)(b) § 87(2)(b)	§ 87(2)(b)

Case Summary

On February 8, 2018, § 87(2)(b) filed this complaint in person at the 75th Precinct stationhouse. It was referred to the CCRB and received on February 8, 2018.

On February 8, 2018, at approximately 7:30 a.m., § 87(2)(b) was asleep in her home, located in § 87(2)(b), in Brooklyn. She was woken up by a knock at her door, and went to answer it. Outside her apartment there were four detectives from Manhattan Warrant Section: Det. Christopher Heredia, Det. Daniel Silverio, Det. Michael Fratangelo, and Det. John Ambrosino. Det. Heredia told § 87(2)(b) that they were there looking for an individual named § 87(2)(b) who they believed to be in her apartment. § 87(2)(b) denied that § 87(2)(b) was there. When § 87(2)(b) was about to close the door, Det. Silverio allegedly stepped through the doorway and held the door, keeping it open (**Allegation A – Abuse of Authority:** § 87(2)(g) § 87(2)(b) objected, and Det. Silverio allegedly responded, “If you close this fucking door, I’ll arrest you.” (**Allegation B – Discourtesy:** § 87(2)(g) (**Allegation C – Abuse of Authority:** § 87(2)(g) A short time later, the officers left without searching the apartment. As they left, § 87(2)(b) allegedly asked them for their names and badge numbers, and none of them responded (**Allegations D, E, F, and G – Abuse of Authority:** § 87(2)(g)

There is no video footage of this incident.

Findings and Recommendations

Allegation (A) Abuse of Authority: Det. Daniel Silverio entered § 87(2)(b), in Brooklyn.

Allegation (B) Discourtesy: Det. Daniel Silverio spoke discourteously to § 87(2)(b)

Allegation (C) Abuse of Authority: Det. Daniel Silverio threatened to arrest § 87(2)(b)

§ 87(2)(b) (Board Review 01) stated that, although she knew § 87(2)(b) as a friend, she had not seen him in several years and he never resided at her apartment. She explained this to the detectives, and then at one point called someone she knew, § 87(2)(b) to ask what she should do. While on the phone with § 87(2)(b) § 87(2)(b) asked him if she should close the door. At this point, Det. Silverio stepped into the doorway, grabbed it to stop her from closing it, and said, “If you close this fucking door I’ll arrest you.”

§ 87(2)(b) (Board Review 02) acknowledged being on the phone with § 87(2)(b) at the time, and stated that he could hear an officer arguing with her in an aggravated tone. § 87(2)(b) § 87(2)(b) believed that the officer said something along the lines of “Let me through this fucking door,” but he was not certain that they used profanity.

Det. Silverio (Board Review 03) denied reaching through the door, and cursing at or threatening to arrest § 87(2)(b) and did not believe he ever spoke to § 87(2)(b) during the incident. Det. Heredia (Board Review 04), Det. Ambrosino (Board Review 05), and Det. Fratangelo (Board Review 06), all gave testimony consistent with Det. Silverio. The officers consistently described that they went to the location to investigate a parole warrant for § 87(2)(b). According to records from the Department of Corrections, § 87(2)(b) had visited § 87(2)(b) dozens of times while he was incarcerated, and identified herself as § 87(2)(b)s spouse. While they were at the apartment, § 87(2)(b) was apprehensive and frustrated with the officers, but none of the officers recalled her attempting to close the door on them.

§ 87(2)(g)

Allegation (D) Abuse of Authority: Det. Daniel Silverio refused to provide his name and shield number to § 87(2)(b)

Allegation (E) Abuse of Authority: Det. Michael Fratangelo refused to provide his name and shield number to § 87(2)(b)

Allegation (F) Abuse of Authority: Det. John Ambrosino refused to provide his name and shield number to § 87(2)(b)

Allegation (G) Abuse of Authority: Det. Christopher Heredia refused to provide his name and shield number to § 87(2)(b)

§ 87(2)(b) stated that she asked the officers for their names and badge numbers as they left the location, and none of them responded. She was no longer on the phone with § 87(2)(b) at this time. None of the officers recalled § 87(2)(b) ever asking them for their names or badge numbers.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 07).
- Det. Ambrosino has been a member of service for six years and has been a subject in one CCRB complaint about one allegation, which was not substantiated. § 87(2)(g)
- Det. Fratangelo has been a member of service for eight years and has been a subject in three CCRB complaints and four allegations, none of which were substantiated. § 87(2)(g)
- Det. Heredia has been a member of service for 12 years and has been a subject in five CCRB complaints about nine allegations, none of which were substantiated. § 87(2)(g)
- Det. Silverio has been a member of service for 11 years and has been a subject in nine CCRB complaints about 23 allegations, of which two were substantiated (Board Review 11):
 - Case number 201201095 involved substantiated allegations of a stop and a frisk against Det. Silverio. The Board recommended charges, and the NYPD imposed a forfeiture of three vacation days.

- § 87(2)(g) [REDACTED]

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation.
- A request for any Notice of Claim related to this incident was sent to the New York City Office of the Comptroller on June 8, 2018. There has been no response as of the date of this report (Board Review 12).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)] [REDACTED]

Squad No.: _____

Investigator: _____

Signature	Print Title & Name	Date
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Squad Leader: _____

Signature	Print Title & Name	Date
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Reviewer: _____

Signature	Print Title & Name	Date
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